

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS

FILED

UNITED STATES DISTRICT COURT

MAY 22 2024

for the

Southern District of Texas

NATHAN OCHSNER
CLERK OF COURT

United States of America

v.

Rafael Arriazola

Case No. 1:24-mj-303-01

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 19, 2024 in the county of Cameron in the
Southern District of Texas, the defendant(s) violated:Code Section
18 USC 111(a)(1)
18 USC 1324(A)(1)(A)(ii)Offense Description
18 USC 111(a)(1) - Assault on a Federal Officer
18 USC 1324(A)(1)(A)(ii) - Transporting Aliens Within the United StatesThis criminal complaint is based on these facts:
See attached affidavit.☒ Continued on the attached sheet.

Complainant's signature

Skyler Roman Medina

Printed name and title

Special Agent
FBI

Sworn to before me and signed in my presence.

Date: 05/22/2024City and state: Brownsville, Texas

Judge's signature

Karen Betancourt

Printed name and title

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AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT & ARREST WARRANT

The information in this affidavit is provided for the limited purpose of establishing probable cause. The information is not a complete statement of all of the facts related to this case.

I, Skyler Roman Medina, being duly sworn, hereby state the following under penalty of perjury:

1. I, Skyler Roman Medina, am employed as a Federal Bureau of Investigation Special Agent. I am currently assigned to the Federal Bureau of Investigation (FBI) Criminal Investigative Squad of the San Antonio Division's Brownsville Resident Agency (RA) as a Special Agent where I investigate a number of criminal violations.

2. Samuel Rodriguez Flores, a citizen of Mexico, with no criminal history in the United States, is an undocumented alien who entered the United States illegally by swimming across the Rio Grande River on or about May 17, 2024. Flores was interviewed by FBI Special Agent Brendan Moore and FBI Task Force Officer Rosalio Quezada. The following is his story:

3. Approximately on May 17, 2024, undocumented alien Samuel Rodriguez Flores, crossed the Rio Grande River and illegally entered the United States with eight to ten undocumented aliens. Of the original group, three were caught and Flores just stuck with two undocumented aliens. Flores did not know what happened to the other undocumented aliens in his group.

4. On May 19, 2024, after being in the brush for two days, Flores said he ran to a nearby trailer, later identified as [REDACTED]. Flores knocked on the door of the trailer and an unidentified woman answered. Flores said he just crossed the river and needed help, was thirsty, and was in the brush for two days. Unidentified woman said that she knew someone who could help and would call her son. Approximately 10 minutes later, a black Ford pickup truck arrived and a person, later identified as RAFAEL ARRIAZOLA, got out. Flores told ARRIAZOLA that he was from Mexico, that he just crossed the Rio Grande River, was lost in the brush, was thirsty and needed help getting to Flores's cousins house in Donna, Texas. ARRIAZOLA asked if Flores knew the address he needed to get to in Donna. Flores did not know the address. ARRIAZOLA offered Flores his phone. Flores said he used ARRIAZOLA's phone to contact his (Flores) cousin, Osvaldo Rodriguez Diaz, on Facebook because Flores's phone was wet. Flores initially was unsuccessful in contacting his cousin Osvaldo. Flores offered to pay ARRIAZOLA and asked ARRIAZOLA how much it would cost for ARRIAZOLA to take him to Donna, Texas. ARRIAZOLA never provided an answer to Flores's request.

5. While at the trailer, Flores saw ARRIAZOLA drop a black pistol, then put the pistol into his waistband. Flores told ARRIAZOLA that he had two companions who were still hiding in the brush, and one of them had a spouse in Donna who they might be able to contact and get an address. ARRIAZOLA told Flores to bring him to them but encountered Border Patrol Agents on their way to them. ARRIAZOLA pulled out the pistol and ran with the pistol in hand. Border Patrol Agents were able to find Osvaldo's Facebook by searching multiple pages with Flores until Flores was able to identify Osvaldo's page. Border Patrol contacted Flores's cousin, Osvaldo, who provided a phone number and Facebook page for Rafael ARRIAZOLA that was contained in Osvaldo's Facebook messenger page when Flores attempted to contact Osvaldo using ARRIAZOLA's phone. Flores was the only alien to see ARRIAZOLA and identified him conclusively in a photo lineup conducted by Border Patrol.

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6. CENECA VALDEZ, a United States Border Patrol Agent, was interviewed by FBI Special Agent Skyler Roman Medina, Special Agent Brendan Moore and Task Force Officer Rosalio Quezada on May 20, 2024. The following is her story:

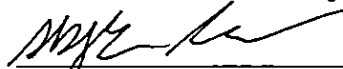
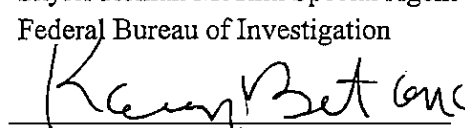
7. On May 19, 2024, at approximately 7:35AM, two unidentified subjects were encountered by uniformed United States Border Patrol (USBP) Agents near the Country Line Canal in Harlingen, Texas, on suspicion of illegal entry. Weather conditions were hot and foggy.

8. USBP Agent Ceneca Valdez was assigned to the 14 East zone and her partner, Wade Shrum, was assigned to the 14 West zone. In the course of her duties, Valdez saw two subjects (later identified as Samuel Rodriguez Flores and Rafael ARRIAZOLA) and identified herself as Border Patrol in both English and Spanish. Valdez gave the command to stop and apprehended Flores. While Valdez was apprehending Flores, Valdez saw the silhouette of ARRIAZOLA approximately 35-40 yards ahead. Valdez then saw a black or navy-blue shape come up in front of ARRIAZOLA. Valdez yelled at ARRIAZOLA to stop, ARRIAZOLA responded with "I will send you all to hell!", in the Spanish language. Valdez then heard one round of gun fire from ARRIAZOLA's direction. Two more rounds of gun fire followed. Valdez saw flashes of light, heard multiple gunshots and felt her life was endangered.

9. On the way to Valdez's USBP truck, Flores told Valdez that he did not think he (subject two) would shoot at her. Valdez asked Flores what type of gun subject two had, Flores said subject two had a black pistol. Flores later said they (the illegal aliens) were going to his cousin's house in ~~Westlaco, Texas.~~ *SiCB*

10. Based on the evidence above, probable cause exists that on May 19, 2024, ARRIAZOLA forcibly assaulted Agent Valdez, a federal officer then engaged in the performance of official duties, in violation of 18 U.S.C. 111(a)(1). Additionally, ARRIAZOLA was in violation of 8 U.S.C. § 1324.

Date: May 22, 2024
City and State: Brownsville, Texas


Skyler Roman Medina/Special Agent
Federal Bureau of Investigation

United States Magistrate Judge
Karen Betancourt